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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 OSVALDO GARCIA,

Case No. 2:18-cv-00774-JCM-NJK

10 v. Petitioner,

ORDER

11 JERRY HOWELL,

12 Respondent.

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14 Before the court is a *pro se* petition for writ of habeas corpus pursuant to 28  
15 U.S.C. § 2254, submitted by Osvaldo Garcia (ECF No. 1-1). On October 18, 2018, the  
16 court issued a show-cause order directing Garcia, within 30 days, to file such proof as  
17 he may have to demonstrate that his petition was timely or that he is entitled to  
18 equitable tolling (ECF No. 6). More than the allotted time has passed, and Garcia has  
19 not responded to the court's order in any manner. Accordingly, this petition shall be  
20 dismissed.

21 **IT IS THEREFORE ORDERED** that the Clerk shall **DETACH** and **FILE** the  
22 petition (ECF No. 1-1).

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1           **IT IS FURTHER ORDERED** that this habeas matter is **DISMISSED** for failure to  
2 respond to the show-cause order.

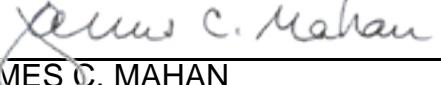
3           **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

4           **IT IS FURTHER ORDERED** that Clerk shall enter judgment accordingly and  
5 close this case.

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7           DATED: February 4, 2019.

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10           JAMES C. MAHAN  
11           UNITED STATES DISTRICT JUDGE

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